IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

WP(C).No. 32363 of 2006(C)

PETITIONER:

ABDUL JAMAL, S/O.KASIM,
KANNANCHAKKACHERRY, KACKSON HOUSE, PATTANAM,
VADAKKEKKARA, PARAVUR.

BY ADV. SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENTS:

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1. CHITTATTUKARA GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, CHITTATTUKARA.

2. RAKESH, KALATHIL HOUSE,
CHENNNAMANGALAM, PARAVOOR, ERNAKULAM DISTRICT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 32363 of 2006

Dated this 6th day of December, 2006

JUDGMENT

Having regard to the grounds raised in the writ petition and the various documents placed on record and the submissions of Sri.K.Mohanakannan, the learned counsel for the petitioner, I am of the view that in the nature of the order, which is being passed hereunder, it is not necessary for this court to issue notice either to the Panchayat or to the 2nd respondent. The case of the petitioner is that a hearing was conducted by the Panchayat already on Ext.P1 and that the Panchayat, for some unknown reasons, is not passing orders on the basis of the hearing. If this position is correct, there is no reason as to why the Panchayat should not pass order on Ext.P1 early. This writ petition will stand disposed of with the following directions:

If the first respondent Panchayat has already heard the petitioner and the 2nd respondent on Ext.P1 as asserted by the petitioner, the Panchayat will pass orders on Ext.P1 on the basis of that hearing at the earliest and any WW WW WW

WW rate within two weeks of receiving a copy of this judgment. If the Panchayat feels that the matter requires further hearing, the Panchayat will issue hearing notice to the petitioner as well as to the 2nd respondent, conduct hearing and pass orders on the basis of such further hearing at the earliest and at any rate within one month of the Panchayat receiving a copy of this judgment.

PIUS C.KURIAKOSE
Judge

dpk